

The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
Division of Health Professions Licensure  
239 Causeway Street, Suite 500, 5<sup>th</sup> Floor, Boston, MA 02114

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GOVERNOR

TIMOTHY P. MURRAY  
LIEUTENANT GOVERNOR

JUDYANN BIGBY, MD  
SECRETARY

LAUREN A. SMITH, MD, MPH  
INTERIM COMMISSIONER

MASSACHUSETTS BOARD OF REGISTRATION IN DENTISTRY

239 Causeway Street, Boston, MA 02114

Room 417

December 5, 2012

AGENDA

8:30 a.m.

Call to Order

- A. Election of Board Officers for 2013
- B. Complaint Resolution—Pending Board Cases—Eileen Mulligan and Kathy Perault
  - In the Matter of DEN-2011-0013: Dr. Raffi Merjik
  - In the Matter of DEN-2011-0017: Dr. Raffi Merjik
  - In the Matter of DEN-2011-0097: Dr. Raffi Merjik
  - In the Matter of DEN-2012-0095: Dr. Raffi Merjik
- C. Complaint Resolution—Pending Board Cases—Eileen Mulligan
  - In the Matter of SA-INV-1970: Dr. Peter Niahros
  - In the Matter of SA-INV-2278: Dr. Sarat Ummenthala
  - In the Matter of SA-INV-2359: Dr. Sarat Ummenthala
  - In the Matter of SA-INV-2489: Dr. Awini Jagadeesh
- D. Compliant Resolution—Pending Board Case—Kathy Perault
  - In the Matter of DEN-2012-0098: Dr. Armida Dano
- E. Complaint Resolution—Pending Board Cases—Kathleen O'Connell
  - In the Matter of SA-INV-2369: Dr. Hamid Esbah-Tabatabaie
  - In the Matter of SA-INV-2645: Dr. Rebecca Paglia
  - In the Matter of SA-INV-2713: Dr. Jung-Mee Hwang (Small Smiles)
- F. Complaint Resolution—Pending Board Cases—Sarah Millar
  - In the Matter of DEN-2012-0081: Dr. Nikhilkumar Patel
  - In the Matter of SA-INV-3039: Yuri Saikin
- G. Complaint Resolution—Pending Board Case—Lisa Seeley-Murphy
  - In the Matter of DEN-2012-0119: Dr. Robin Eliasberg-Lowenstein
- H. Complaint Resolution—Pending Board Cases—Barbara Yates
  - In the Matter of DEN-2011-0154: Dr. Neela Gandhi
  - In the Matter of DEN-2012-0017: Dr. Fadi Metri
  - In the Matter of SA-INV-2782: Dr. Sanjiv Nehra

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--In the Matter of SA-INV-2805: Dr. Joseph Mills  
--In the Matter of SA-INV-2806: Dr. Amanda Jones

**I. Probation Matter—Petition for Reinstatement of License—K. Fishman**

--In the Matter of DEN-2010-0052: Dr. James Royer

10:30 a.m.     **J. M.G.L.c.112, §65C Session (closed to the public)**

**Recess—45 Minutes**

**K. Approval of Minutes of the November 7, 2012 Meeting**

**L. Administrative Matters**

--Patient-Based Periodontal Examination for Dental Licensure Requirement  
--Yankee Dental Conference  
--ADEX Participation at Annual Meeting  
--Registration of Dental Assistants Update  
--Botox and Dermal Fillers Workgroup Update  
--Use of Lasers by Dental Professionals Workgroup Update  
--PGY-1 Update

**Adjournment**

***NEXT MEETING: January 23 , 2013***

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**MASSACHUSETTS BOARD OF REGISTRATION IN DENTISTRY**

**239 Causeway Street, Boston, MA 02114**

**Room 417**

**December 5, 2012**

**GENERAL SESSION MINUTES**

**Board Members Present:** Dr. Mina Paul, Chair; Dr. Roderick Lewin, Secretary; Dr. Milton Glicksman; Dr. Stephen DuLong; Dr. John Hsu (*arrived at 8:53 a.m.*); Dr. Cynthia Stevens; Ms. Ailish Wilkie, CPHQ (*arrived at 8:37 a.m.*); Ms. Lois Sobel, RDH; Ward Cromer, Ph.D.; Ms. Diane Grondin, CDA Advisor

**Staff Members Present:** Kathleen Atkinson, Executive Director; Jeffrey Mills, Assistant Executive Director; Marsha Bird, Board Counsel; Dr. Liliana DiFabio, Supervisor of Investigations; Joel Kanter, Ph.D., DPH Consultant; Investigators Sarah Millar, Kathleen O'Connell, Kathy Perault, Eileen Mulligan, Lisa Seeley-Murphy and Barbara Yates; Karen Fishman, Probation Monitor; Nancy Dolberg, Prosecuting Counsel; Vivian Bendix, Administrative Hearings Counsel; Rosie Rogers, Administrative Assistant; Erin Belitskus.

**Motion:** **To commence the meeting, at 8:33 a.m.**

**Motion Made By:** Dr. Roderick Lewin

**Second:** Dr. Cynthia Stevens

**Vote:** Unanimous

**Election of Board Officers for 2013**

Ballots were distributed and members voted for Chair and Secretary for 2013. After all members cast ballots, tellers counted the ballots and the following results were announced:

Chair: Dr. Mina Paul

Secretary: Dr. Milton Glicksman

**Motion:** **To re-order agenda, at 8:37 a.m.**

**Motion Made By:** Ms. Lois Sobel

**Second:** Dr. Stephen DuLong

**Vote:** Unanimous

**Complaint Resolution—Pending Board Cases**

Investigators presented their previous distributed Investigative Reports, together with relevant clarifications and supplemental information as necessary.

**--In the Matter of DEN-2011-0013, DEN-2011-0017, DEN-2011-0097 and DEN-2012-0095:  
Dr. Raffi Merjik**

**Allegations:** Infection control violations, inferior treatment, misdiagnosis of condition, patient neglect and fraud

**Motion:** To offer Probation for two years, and to include the following requirements:

- Within thirty (30) days of the Effective Date of the Consent Agreement, Licensee shall apply for admission to the D-Prep skills assessment program offered by the *Assessment Services Program of American Association of Dental Boards*. Licensee shall provide the Board with documentation demonstrating that he has applied for admission to D-Prep.
- Upon successful completion of the D-Prep Assessment, the assessment shall be sent directly from *Assessment Services* to the Board. Upon receipt of said assessment, the Board shall determine the term(s) of Probation.

**Motion Made By:** Dr. Cynthia Stevens

**Second:** Dr. John Hsu

**Vote:** Unanimous

**Justification:** DEN 2011-0013

- Licensee violated 234 CMR 5.05 (1) and 234 CMR 9.05(3) by failing to provide services and maintain the dental office, in compliance with the CDC Guidelines. Said deficiencies include, but are not limited to the failure to: maintain an Infection Control Protocol, use internal indicators in sterilization pouches, to sterilize slow hand pieces after each patient use, and to conduct weekly spore tests in 2010 and 2012.

- Licensee violated 234 CMR 5.16, Emergency Protocol. Said deficiencies include but are not limited to, the failure to: maintain a written emergency protocol, provide evidence of annual office training in emergency protocols, and to maintain a current emergency drug kit. Licensee's emergency drug kit contained expired medicaments: Diphenhydramine, Ephedrine Sulfate and Atropine Sulfate.
- Licensee violated 234 CMR 6.15 (2), Administration of Local Anesthesia, by failing to maintain the required equipment. Said deficiencies include, but are not limited to the failure to have: adult and child size AED pads, current Portable Cylinder E, Oxygen tank, bag-valve mask system, and an alternative light source.
- Licensee violated 234 CMR 61.5 (3), Administration of Local Anesthesia, by failing to maintain the required medications. Said deficiencies include, but are not limited to, the failure to have: Acetylsalicylic Acid, Bronchodilator, Antihypoglycemic, and Vasodilator. In addition, licensee had expired medications: Marcaine 5% with epinephrine (expired November 2001); Lidocaine 2% with epinephrine (expired July 2005); and Lidocaine without epinephrine (expired October 2003).
- Licensee violated 234 CMR 5.02 (3) (b) (7) by failing to have a current Radiation Control Program Certificate.
- Licensee violated 234 CMR 5.06 (1) and M. G. L. c. 94C, Controlled Substances, by failing to utilize proper prescription pads.
- Licensee violated 234 CMR 5.02 (3) and 5.10 (2) by allowing a dental assistant who did not possess a certification in radiology to take radiographs for a period of eight Ayers.
- Licensee violated 234 CMR 8.03 (b) by failing to have a current and valid certification in Basic Life Support for the Healthcare Provider.

#### **DEN 2011-0017**

- Licensee violated 234 CMR 9.05 (14), standard of care, by extracting teeth #'s 13, 20 and 32 without a exposing a diagnostic radiograph prior to performing the procedure.

- Licensee violated 234 CMR 5.15, Content of Patient Records, by failing to perform and/or properly document the patient record. Said deficiencies include, but are not limited to, the failure to: obtain general or specific informed consent, document a treatment plan, chart existing restorations when the patient was billed for a comprehensive exam, expose periapical and bitewing radiographs of diagnostic quality, document that tooth #32 fractured during extraction, to document if patient took antibiotic premedication prior to extraction of three teeth on 9/13/10, and failure to perform and/or a blood pressure reading prior to surgical extraction of #32 and extraction of #13 and #20 on a patient with a history of high blood pressure and a complicated medical history.

**DEN 2011-0097**

- Licensee violated 234 CMR 9.05 (14), standard of care, by failing to perform a comprehensive oral evaluation during the time the patient was treated by licensee and by failing to expose a full mouth series or panoramic radiograph from on or about June 18, 2008 through September 16, 2010.
- Licensee violated 234 CMR 5.15, Content of Patient Records, by failing to perform and/or properly document the patient record. Said deficiencies include, but are not limited to, the failure to: obtain general informed consent, perform an oral cancer screening on three appointment dates and an oral comprehensive exam from on or about June 18, 2008 through September 16, 2010.

**DEN 2012-0095**

- Licensee violated 234 CMR 9.04 (14), standard of care, where licensee overfilled the canal for tooth #8.
- Licensee violated 234 CMR 5.15, Content of Patient records, by failing to perform and/or properly document the patient record. Said deficiencies include, but are not limited to the failure to: expose a radiograph of tooth #28, when Patient complained of pain, document clinical findings of the comprehensive exam on April 7, 2010, document the use of a rubber dam, clamp size, irrigant, type of sealer, type of temporary restoration placed, and to expose working and final films on June 29, 2010, and document fit of #8 crown inserted after July 30, 2010.

**--In the Matter of SA-INV-1970: Dr. Peter Niahros**

**Allegations:** Inferior treatment, patient neglect, failure to release records, business practice issues and patient abandonment

**Motion:** **To open as a formal complaint.**

**Motion Made By:** Dr. John Hsu

**Second:** Dr. Cynthia Stevens

**Vote:** Unanimous

**--In the Matter of SA-INV-2278: Dr. Sarat Ummenthala**

**Allegation:** Inferior treatment

**Motion:** **To not open as a formal complaint, and send an advisory letter regarding compliance with the Board's Regulation at 234 CMR 5.15, Content of Patient Records.**

**Motion Made By:** Dr. Milton Glicksman

**Second:** Ms. Lois Sobel

**Vote:** Unanimous

**--In the Matter of SA-INV-2359: Dr. Sarat Ummenthala**

**Allegation:** Misdiagnosis of condition

**Motion:** **To open as a formal complaint.**

**Motion Made By:** Dr. Cynthia Stevens

**Second:** Ms. Ailish Wilkie

**Vote:** Unanimous

**--In the Matter of SA-INV-2489: Dr. Awini Jagadeesh**

**Allegations:** Patient abandonment/neglect and inferior treatment

**Motion:** **To open as a formal complaint.**

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**Motion Made By:** Dr. Milton Glicksman  
**Second:** Dr. Cynthia Stevens  
**Vote:** Unanimous

**--In the Matter of DEN-2012-0098: Dr. Armida Dano**

**Allegation:** Failure to obtain DEA Registration  
**Motion:** **To offer Consent Agreement for Reprimand.**  
**Motion Made By:** Dr. John Hsu  
**Second:** Dr. Cynthia Stevens  
**Vote:** Unanimous  
**Justification:**

- Licensee violated 234 CMR 5.06 (1) by failing to obtain a controlled substance registration, from the United States Drug Enforcement Administration and by prescribing controlled substances without a current and valid USDEA controlled substance registration.

**--In the Matter of SA-INV-2369: Dr. Hamid Esbah-Tabatabaie**

**Allegation:** Patient death  
**Motion:** **To not open as a formal complaint, and send an acknowledgment letter expressing that the Board thanks the Licensee for reporting the occurrence.**  
**Motion Made By:** Dr. Roderick Lewin  
**Second:** Dr. Milton Glicksman  
**Vote:** Unanimous

*Dr. Roderick Lewin assumed the Chair.*

**--In the Matter of SA-INV-2645: Dr. Rebecca Paglia**

**Allegation:** Inferior treatment  
**Motion:** **To not open as a formal complaint.**  
**Motion Made By:** Dr. Milton Glicksman



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**Second:** Dr. Stephen DuLong  
**Vote:** Unanimous  
**Recuse:** Dr. Mina Paul left the Board meeting.

**--In the Matter of SA-INV-2713: Dr. Jung-Mee Hwang (Small Smiles)**

**Allegations:** Misdiagnosis of condition and business practice issues  
**Motion:** To open as a formal complaint.  
**Motion Made By:** Ward Cromer, Ph.D.  
**Second:** Dr. Stephen DuLong  
**Vote:** Unanimous  
**Recuse:** Dr. Mina Paul left the Board meeting.

*Dr. Mina Paul returned to the meeting after having recused for the discussion of the above matters.*

**--In the Matter of DEN-2012-0081: Dr. Nikhilkumar Patel**

**Allegations:** Infection control  
**Motion:** To offer Stayed Probation for six months and to include the following Continuing Education requirements:

- Two Hours: Risk Management
- Board will accept Pain Management and ~~Infection Control~~ Course (completed in September 2012) as compliance with continuing education requirements (234 CMR 8.03) for the 2010-2012 license renewal cycle. However, this course will *not* be accepted for the 2012-2014 renewal cycle and Licensee shall comply with 234 CMR 8.03.

  
**Motion Made By:** Dr. Milton Glicksman  
**Second:** Dr. Cynthia Stevens  
**Vote:** Unanimous

**Justification:**

- Licensee violated 234 CMR 5.05 (1) and 234 CMR 9.05(3) by failing to provide services and maintain the dental office, in compliance with the CDC Guidelines. Said deficiencies include, but are not limited to, the failure to: maintain x-ray Rinn kits in sterilization pouches prior to patient use; and, to sterilize slow speed hand pieces between patient usages.
- Licensee violated 234 CMR 5.16 by failing to have a written emergency protocol and by failing to conduct and/or maintain documentation that annual emergency training was conducted.
- Licensee violated 234 CMR 6.15 by failing to maintain a current emergency drug kit. Said deficiencies include, but are not limited to, the lack of child and adult preloaded Epinephrine, a stethoscope and a sphygmomanometer, and an alternative light source.
- Licensee violated 234 CMR 8.03 by failing to complete the required Pain Management course by March 31, 2012.

**--In the Matter of SA-INV-3039: Yuri Saikin**

This matter was presented to inform the Board that a compliance inspection was conducted at 2 Margerie Street, Westfield, MA on November 8, 2012. This investigation was conducted due to a fax notification received from Westfield Health Department reporting a potential unlicensed practice. Investigators Sarah Millar, Lisa Seeley-Murphy and other Officers from the Westfield Department of Health joined the investigation. Dental equipment and dental supplies, among other items, were noted on the premises.

**--In the Matter of DEN-2012-0119: Dr. Robin Eliasberg-Lowenstein**

**Allegations:**

Standards of practice failure, infection control and regulatory violations

**Motion:**

**To offer Suspension for six months, to be followed by a term of probation to be determined at the time of reinstatement of license to practice dentistry. Also, to include the following terms:**

- **Full Day: Risk Management**
- **Full Day: Infection Control**
- **Full Day: OSHA**
- **Full Day: Medical Emergencies in the Dental Office**
- **Complete continuing education credits required for license renewal ending March 31, 2012.**

**Motion Made By:**

Dr. Cynthia Stevens

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**Second:** Ms. Ailish Wilkie

**Vote:** Unanimous

**Justification:**

- Licensee violated 234 CMR 5.05 (1) and 234 CMR 9.05(3) by failing to provide services and maintain the dental office, in compliance with the CDC Guidelines. Said deficiencies include, but are not limited to, failing to conduct weekly spore tests since 1999, failing to have an Infection Control Protocol, failing to maintain the sterility of orthodontic instruments and burs, which were stored, unbagged, in drawers, and failing to utilize sterilization pouches with internal indicators.
- Licensee violated 234 CMR 5.16, by failing to have a written Emergency Protocol for managing medical emergencies, by failing to provide evidence of annual emergency training for office staff and by failing to have and maintain a current emergency drug kit.
- Licensee violated 234 CMR 6.15, Local Anesthesia, by failing to maintain the required equipment and medications. Said deficiencies include, but are not limited to, the failure to have: AED pads, a bag valve-mask system, sphygmomanometer, stethoscope, and pre-loaded child and adult Epi-Pen, Acetylsalicylic Acid, Diphenhydramine, Cylinder E Oxygen tank.
- Licensee violated 234 CMR 8.03, by failing to be currently certified in CPR/AED.

*Dr. Roderick Lewin assumed the Chair.*

**--In the Matter of DEN-2011-0154: Dr. Neela Gandhi**

**Allegation:** Drug violations

**Motion:** To dismiss the matter without prejudice and send a letter of thanks to the Licensee for reporting the matter to the Board.

**Motion Made By:** Dr. Milton Glicksman

**Second:** Dr. John Hsu

**Vote:** Unanimous

**Recuse:** Dr. Mina Paul left the Board meeting.

**--In the Matter of DEN-2012-0017: Dr. Fadi Metri**

**Allegation:** Inferior treatment  
**Motion:** **To offer Stayed Probation for six months. Motion Failed.**  
**Motion Made By:** Ms. Lois Sobel  
**Second:** Dr. John Hsu  
**Vote:** **Nay--Unanimous**  
**Recuse:** Dr. Mina Paul left the Board meeting.

**Allegation:** Inferior treatment  
**Motion:** **To offer Stayed Probation for one year. Motion Failed.**  
**Motion Made By:** Dr. Milton Glicksman  
**Second:** Dr. Cynthia Stevens  
**Vote:** **Nay—Unanimous.**  
**Recuse:** Dr. Mina Paul left the Board meeting.

**Allegation:** Inferior treatment  
**Motion:** **To offer Probation for one year, to include the following Continuing Education:**

- **Full Day: Risk Management**
- **Full Day: Record Keeping**
- **Full Day: Ethics (on-line is acceptable)**
- **Complete continuing education credits required for license renewal ending March 31, 2010 and March 31, 2012, to include the mandatory course:**
  - **Infection Control in the Dental Health-Care Setting**

**Motion Made By:** Ms. Ailish Wilkie  
**Second:** Dr. Cynthia Stevens  
**Vote:** **Aye:** Dr. Stephen DuLong; Dr. Milton Glicksman; Dr. Cynthia Stevens; Dr. Roderick Lewin; Ward Cromer, Ph.D.  
**Nay:** Ms. Lois Sobel, RDH; Dr. John Hsu  
**Non-Voting Member:** Ms. Diane Grondin, CDA Advisor

**Recuse:** Dr. Mina Paul left the Board meeting.

**Justification:**

- Licensee violated M.G. L. c. 112, § 51A and 234 CMR 5.01, by failing to complete continuing education required for license renewal for the 2008-2009 renewal cycle, March 31, 2010 license renewal cycle.
- Licensee violated 234 CMR 5.02 (2) (b) by signing under pains and penalties of perjury that continuing education requirement for license renewal was fulfilled.
- Licensee violated M. G. L. c. 112, §51A and 234 CMR 8.02 (1) by failing to complete 40 continuing education credits required for biennial license renewal.
- Licensee violated M. G. L. c. 112, §51A and 234 CMR 8.02 (1) by failing to complete 40 continuing education credits required for biennial license renewal 2010-2012, March 31, 2012 license renewal cycle.
- Licensee violated 234 CMR 8.03 (a) by failing to complete continuing education in infection control in the dental-health care setting prior to renewing his/her license.
- Licensee violated 234 CMR 8.02 (7) by signing under pains and penalties of perjury that he/she has completed requisite number of CEUs required for license renewal.
- Licensee violated M. G. L. c. 94C, §19(e), by failing to complete continuing education in pain management.

*Dr. Mina Paul returned to the meeting after she had recused for discussion of the above two matters.*

**--In the Matter of SA-INV-2782: Dr. Sanjiv Nehra**

**Allegations:** Patient abandonment/neglect and business practice issues

**Motion:** **To not open as a formal complaint, and to send an advisory letter regarding compliance with the Board's Regulation at 234 CMR 5.15, Content of Patient Records.**

**Motion Made By:** Dr. Milton Glicksman

**Second:** Dr. John Hsu

**Vote:** Unanimous

**--In the Matter of SA-INV-2805: Dr. Joseph Mills**

**Allegations:** Inferior treatment, abandonment and billing practice issues

**Motion:** **To open as a formal complaint.**

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**Motion Made By:** Ms. Ailish Wilkie  
**Second:** Dr. Stephen DuLong  
**Vote:** Unanimous  
**Recused:** Dr. Milton Glicksman left the Board meeting.

*Dr. Milton Glicksman returned to the meeting after he had recused for discussion of the above matter.*

**--In the Matter of SA-INV-2806: Dr. Amanda Jones**

**Allegations:** Patient abandonment and business practices issues  
**Motion:** To not open as a formal complaint.  
**Motion Made By:** Ms. Ailish Wilkie  
**Second:** Dr. Stephen DuLong  
**Vote:** Unanimous

**Probation Matter—Petition for Reinstatement of License—Karen Fishman**

**--In the Matter of DEN-2010-0052: Dr. James Royer**

**Motion:** To reinstate the license of the Petitioner, and place Licensee on Probation for six months.  
**Motion Made By:** Ms. Ailish Wilkie  
**Second:** Ward Cromer, Ph.D.  
**Vote:** Unanimous  
**Recuse:** Dr. Milton Glicksman left the Board meeting.

*Dr. Milton Glicksman returned to the meeting after he had rescused for discussion of the above matter.*

**Motion:** To Enter Educational Session, at 11:46 a.m.  
**Motion Made By:** Ms. Lois Sobel  
**Second:** Ms. Ailish Wilkie

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**Vote:** **Aye:** Dr. Stephen DuLong; Dr. Milton Glicksman; Dr. John Hsu;  
Dr. Roderick Lewin; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH;  
Ms. Ailish Wilkie, CPHQ; Ward Cromer, Ph.D.  
**Abstain:** Dr. Mina Paul  
**Non-Voting Member:** Ms. Diane Grondin, CDA Advisor

**Motion:** **To Leave Educational Session, at 12:15 a.m.**

**Motion Made By:** Ms. Lois Sobel

**Second:** Ms. Ailish Wilkie

**Vote:** **Aye:** Dr. Stephen DuLong; Dr. Milton Glicksman; Dr. John Hsu;  
Dr. Roderick Lewin; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH;  
Ms. Ailish Wilkie, CPHQ; Ward Cromer, Ph.D.  
**Abstain:** Dr. Mina Paul  
**Non-Voting Member:** Ms. Diane Grondin, CDA Advisor

*Ward Cromer, Ph.D., left the meeting at 12:15 p.m.*

**Motion:** **To Enter M.G.L.c.112, §65C Session, at 12:15 p.m.**

**Motion Made By:** Ms. Lois Sobel

**Second:** Ms. Ailish Wilkie

**Vote:** **Aye:** Dr. Stephen DuLong; Dr. Milton Glicksman; Dr. John Hsu;  
Dr. Roderick Lewin; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH;  
Ms. Ailish Wilkie, CPHQ.  
**Abstain:** Dr. Mina Paul  
**Non-Voting Member:** Ms. Diane Grondin, CDA Advisor

**Motion:** **To Leave M.G.L.c.112, §65C Session, 12:44 p.m.**

**Motion Made By:** Ms. Ailish Wilkie

**Second:** Ms. Lois Sobel

**Vote:** **Aye:** Dr. Stephen DuLong; Dr. Milton Glicksman; Dr. John Hsu;  
Dr. Roderick Lewin; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH;  
Ms. Ailish Wilkie, CPHQ.  
**Abstain:** Dr. Mina Paul  
**Non-Voting Member:** Ms. Diane Grondin, CDA Advisor

**Motion** **To Enter Adjudicatory Session, at 12:44 p.m.**

**Motion Made By** Ms. Lois Sobel

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**Second** Ms. Ailish Wilkie

**Vote** **Aye:** Dr. Stephen DuLong; Dr. Milton Glicksman; Dr. John Hsu;  
Dr. Roderick Lewin; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH;  
Ms. Ailish Wilkie, CPHQ.  
**Abstain:** Dr. Mina Paul  
**Non-Voting Member:** Ms. Diane Grondin, CDA Advisor

**Motion** **To Leave Adjudicatory Session, at 12:55 p.m.**

**Motion Made By** Ms. Lois Sobel

**Second** Ms. Ailish Wilkie

**Vote** **Aye:** Dr. Stephen DuLong; Dr. Milton Glicksman; Dr. John Hsu;  
Dr. Roderick Lewin; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH;  
Ms. Ailish Wilkie, CPHQ.  
**Abstain:** Dr. Mina Paul  
**Non-Voting Member:** Ms. Diane Grondin, CDA Advisor

**Motion** **To Enter General Session, at 12:55 p.m.**

**Motion Made By** Dr. Cynthia Stevens

**Second** Ms. Lois Sobel

**Vote** Unanimous

**Motion:** **To approve Minutes of November 7, 2012, General Session**

**Motion Made By:** Ms. Lois Sobel

**Second:** Dr. Cynthia Stevens

**Vote:** Unanimous

**Motion:** **To approve Minutes of November 7, 2012, Executive Session**

**Motion Made By:** Dr. Milton Glicksman

**Second:** Ms. Ailish Wilkie

**Vote:** Unanimous



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**Motion:** To approve Minutes of November 7, 2012, Adjudicatory Session

**Motion Made By:** Ms. Ailish Wilkie

**Second:** Dr. Stephen DuLong

**Vote:** Unanimous

**Motion:** To approve Minutes of November 7, 2012, Educational Session

**Motion Made By:** Ms. Lois Sobel

**Second:** Ms. Ailish Wilkie

**Vote:** Unanimous

#### Administrative Matters

##### --Patient-Based Periodontal Examination for Dental Licensure Requirement

**Motion:** To continue to require successful completion of a patient-based periodontal examination as a requirement for dental licensure in Massachusetts.

**Motion Made By:** Dr. Cynthia Stevens

**Second:** Ms. Lois Sobel

**Vote:** **Aye:** Dr. Milton Glicksman; Dr. John Hsu; Dr. Roderick Lewin; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH; Ms. Ailish Wilkie, CPHQ.

**Abstain:** Dr. Stephen DuLong; Dr. Mina Paul

**Non-Voting Member:** Ms. Diane Grondin, CDA Advisor

##### --Yankee Dental Conference

The Chair, Secretary, and Executive Director will offer a free course on Saturday, February 2 at the Conference. The course will address Board Regulations. This is an annual presentation.

##### --ADEX Participation at Annual Meeting

Chair Dr. Mina Paul encouraged members' participation at this meeting. She emphasized the importance of the meeting to the Board.

##### --Registration of Dental Assistants Update

Pertinent Regulations are currently in the Office of General Counsel for review. The Regulations will then be reviewed by the Executive Office of Health and Human Services, Administration and Finance, and then by the Governor's Office before being returned to the Board for promulgation. Implementation will take time, as there are still some IT issues that must be resolved before online registration can begin.

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**--Botox and Dermal Fillers Workgroup Update**

A draft policy is currently being reviewed by the Office of General Counsel.

**--Use of Lasers by Dental Professionals Workgroup Update**

This workgroup will meet again during January.

**--PGY-1 Update**

The Board continued its discussion on this subject, stressing the importance of the definition of PGY-1 as it might be proposed in Massachusetts; other states that use this pathway for licensure have varying definitions for the term. Statutory hurdles for allowing this pathway are a concern, as are the costs incurred by students for finding live patients.

**--Administrative Fines**

The Board discussed the possibility of imposition of fines for unlicensed practice, failure to renew a license in a timely fashion, violations of regulations related to infection control practices and anesthesia administration, and failure to comply with continuing education requirements.

**--Sleep Apnea—Correspondence from AASM and AADSM**

Correspondence was received from these organizations with respect to the diagnosis and treatment of sleep apnea. The Board asked staff to provide follow-up after some further research.

**Motion:** To adjourn the meeting, at 1:55 p.m.

**Motion Made By:** Dr. Cynthia Stevens

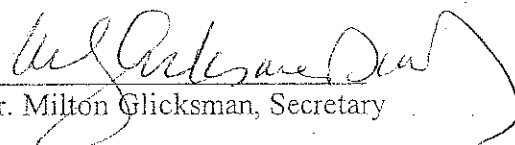
**Second:** Ms. Lois Sobel

**Vote:** Unanimous

**The January 23, 2013 scheduled meeting is cancelled.**

**Next Board Meeting is scheduled for February 6, 2013.**

Respectfully submitted,

  
Dr. Milton Glicksman, Secretary

Date: 4/3/13